

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTH CENTRAL BELL	)	
TELEPHONE COMPANY FOR CONFIDENTIAL	)	
TREATMENT OF INFORMATION FILED IN	)	CASE NO.
SUPPORT OF ITS SPECIAL SERVICE	)	91-266
ARRANGEMENT CONTRACT WITH	)	
APPALACHIAN REGIONAL HEALTHCARE	)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed July 10, 1991 pursuant to 807 KAR 5:001, Section 7, and KRS 61.878 for confidential protection of the cost data filed in support of its proposed contract with Appalachian Regional Healthcare on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell seeks to protect as confidential its cost support developed in connection with a Special Service Arrangement Contract with Appalachian Regional Healthcare for 19.2 Kbps Synchronet Service. The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a legitimate business need to know and act upon the information. South Central Bell seeks to preserve the confidentiality of the information

through all appropriate means, including the maintenance of appropriate security at its offices.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

South Central Bell's competitors for private line dedicated services are alternate service providers of microwave equipment, fiber rings, and small satellites. Disclosure of this information would give providers of such equipment information from which its competitors could determine South Central Bell's costs and contribution from the service. This information could be used by South Central Bell's competitors to market their competitive services to the detriment of South Central Bell. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury and it should be protected as confidential.

This Commission being otherwise sufficiently advised,


IT IS ORDERED that the cost support data developed by South Central Bell in connection with its Special Service Arrangement Contract with Appalachian Regional Healthcare, which South Central has petitioned be withheld from public disclosure, shall be held

and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 7th day of August, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

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Commissioner

ATTEST:

  
Executive Director